

BEFORE THE DEPARTMENT OF PUBLIC
HEALTH AND HUMAN SERVICES OF THE
STATE OF MONTANA

In the matter of the amendment of ARM)
37.82.101, and 37.82.701 pertaining to)
Medicaid eligibility)

NOTICE OF AMENDMENT

TO: All Interested Persons

1. On July 27, 2006, the Department of Public Health and Human Services published MAR Notice No. 37-388 pertaining to the public hearing on the proposed amendment of the above-stated rules, at page 1830 of the 2006 Montana Administrative Register, issue number 14.

2. The department has amended ARM 37.82.101 as proposed.

3. The department has amended the following rule as proposed with the following changes from the original proposal. Matter to be added is underlined. Matter to be deleted is interlined.

37.82.701 GROUPS COVERED, NONINSTITUTIONALIZED FAMILIES AND CHILDREN (1) Medicaid will be provided to:

(a) through (g)(i) remain as proposed.

(h) ~~a child born on or after October 1, 1983~~, who has attained age six but has not yet reached age 19, whose family income does not exceed 100% of the federal poverty guidelines and whose countable resources do not exceed \$15,000. This coverage group is known as the "child-age six to 19 group";

(h)(i) through (3) remain as proposed.

AUTH: 53-4-212, 53-6-113, MCA

IMP: 53-4-231, 53-6-101, 53-6-131, 53-6-134, MCA

4 The department is further amending ARM 37.82.701(1)(h) by deleting the phrase "born on or after October 1, 1983" because it is unnecessary since any child who has not reached the age of 19 must have been born after October 1, 1983.

5. The department intends that the amendments to ARM 37.82.101 be applied retroactively to February 8, 2006, the date on which the mandatory provisions of the Deficient Reduction Act of 2005 took effect, with the exception of the amendments to Sections FMA 001 and FMA 400 of the Family Medicaid Manual. The provisions of Sections FMA 001 and FMA 400 relate to the increase in the resource limit from \$3,000 to \$15,000 for children's poverty-related Medicaid, which was mandated by House Bill 552 to take effect on July 1, 2006. The department therefore intends that the amendments to Sections FMA 001 and FMA 400 of the Family Medicaid Manual be applied retroactive to July 1, 2006.

6. No comments or testimony were received.

/s/ Barbara Hoffmann
Rule Reviewer

/s/ Joan Miles
Director, Public Health and
Human Services

Certified to the Secretary of State September 25, 2006.